

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL MEETING MINUTES
APRIL 13,2022, 6:30 P.M.**

A SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 13, 2022, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEYHUMBOLDT, ARIZONA. MAYOR JOHN HUGHES PRESIDED.

- 1. Call To Order** Mayor Hughes called the meeting to order at 6:30 p.m.
- 2. Roll Call** Town Councilmembers (CM) Barry Thomas, Glen Blomgren, Lynn Collins, Amy Lance, Mark McBrady, Vice Mayor (VM) Karen Brooks and Mayor John Hughes were present.
- 3. Pledge of Allegiance** Mayor Hughes led the Pledge of Allegiance.
- 4. Moment of Silence**
- 5. Public Comment on Non-agendized Items**

Terre Schroeder stated, as a matter of record, she wanted to complain that Mr. Blomgren was still sitting on the Council, and there should have been a resolution to the Point of Order she raised the previous week citing that he had not been voted back onto the Council after being voted off the Council. She had sent an email to Town Attorney (TA) Kay Bigelow and to Town Clerk (TC) Beth Evans requesting verification that the issue would be addressed on the next Regular Meeting, but she had not received a reply. She requested that the issue be addressed.

Chris Dragan said that he had raised the issue at the last meeting of why Mr. Blomgren was still in his seat as a Councilmember when he had resigned and then rescinded his resignation, but there had been no proof of that. A Call to Order had been raised at the previous meeting to address the issue, and nothing had been done. They had a Special Meeting to address the Town Manager, who was no longer there, and he did not understand why they could not get a meeting to address Mr. Blomgren. He did not think he should be voting on Town business, finances, or anything else until the issue was resolved. He questioned how many times the issue needed to be raised before it was properly addressed. If Mr. Blomgren never resigned, then how could he rescind his resignation. It could not be both things. Mr. Dragan called out a Point of Order after an exchange of words with CM Collins.

Leigh Cluff spoke that she was sad that there were people that were rude and disrespectful. She explained that the Attorney General for Yavapai County was not doing anything about the issue with Mr. Blomgren, and she wondered why Town people were trying to overstep the attorney. She thought everyone should respect that decision. She appreciated the Council taking notes because it meant they were paying attention to her.

6. Special Meeting.

A. Discuss and possibly take action on establishing the hiring process for the permanent Town Manager

CM Collins thought they needed to update their forms for salary and wage, qualifications, etc. She wanted to hear what other Councilmembers thought about the salary, because she did not think they got what they paid for when they raised the salary. The previous vacancy announcement needed to be updated because of the outdated budget information and she thought they had more employees. She questioned if anyone wanted to change the qualifications for the position, and if they wanted to focus on education or actual work experience that was not necessarily management experience as a Town Manager. She thought they would get more for their money by hiring someone that wanted to work hard. She also thought they should keep the ICMA (International City/County Management Association) credential requirement within three-years. She thought the same items needed to be updated in the job description. She wanted to make sure it was ready to go so they did not waste time when they were ready to post. She also wanted to set dates and put out ads as soon as possible. There were only three openings in the entire state, and the closer they go to elections, the more openings there would be. She thought they needed to be aggressive in their search. She thought they should go down in their salary because she thought they overpaid and did not get much for it, and since they were not a full-service Town, with no water, sewer, or police, the salary should go down.

CM Blomgren was concerned that they could have all types of qualifications and job duties listed in the job announcement, but he wondered how they enforced that once someone was hired. They had high expectations with no equivalent performance.

TA Bigelow explained that the minutes from the February 10, 2021, Council Meeting were in the packet, which included Pat Walker, Pat McDermott, and Tom Belshe's discussions on the Town Manager profile. Mr. McDermott and Mr. Belshe had offered help reviewing applicants to help the Town weed through the people. The Town could consider working with [League of Cities and Towns]. They could help the Town determine the qualifications of the person outside of the interview and resume.

VM Brooks thought they needed a larger salary range, not necessarily lower or higher. They could have a range from \$90,000 to \$140,000, depending on experience. If they brought them in at the top level, they had very little wiggle room, and the candidates then went for higher benefits and add-ons. The Town had been paying a salary similar to cities that were three times their size. She wanted the ability to start lower.

CM McBrady thought they were too high. He had reviewed salaries.com and the average salary for an Arizona town manager was \$81,868 as of March 29, 2022. He said the range typically falls between \$72,063 to \$91,582 and varied widely depending on the size of the city, education, skills, and years of experience in the profession. The Town had been in the \$80,000 range, but they had jumped to the \$120,000 range the last time because the candidates wanted higher salaries. He thought they should go back down to the \$70,000 to \$90,000. CM Collins agreed because they were a small town, and they did not have to do much work.

CM Thomas made a motion that they go back to the \$60,000 to \$95,000 range they had been at before hiring the last Town Manager, seconded by CM Blomgren.

Councilmembers agreed and no official vote was taken.

Mayor Hughes explained the Town had given a 79% increase to a Town Manager that did not do his job.

Councilmembers agreed and gave staff direction to update the employee status, the Town population, and the budget status on the job announcement. Once the information was updated, it would be brought back to Council for approval.

Education and Experience

CM Blomgren thought the amount of education was less important than the quality of the job a candidate had done in the past. Mayor Hughes thought that they needed to be specific as to the experience and education so that they had something to follow.

CM Thomas thought the Council now wanted to change what they insisted on being a requirement previously. They now wanted less education and experience, which he thought was a backwards step. Education was a proven fact. Someone with a college degree could show it to them, someone that said they did a good job or someone else said they did a good job did not mean they actually did a good job. He thought the qualifications should be left the same or more stringent.

CM Lance remembered that there were several Councilmembers that were not supportive of the educational background. She thought the bachelor's degree in public administration business or equivalent with a master's degree preferred, was how it should remain.

CM Collins wanted someone that could get things done and had organizational skills. She wanted to know their work experience, how far and fast they had moved up in their company and if their job results were satisfactory. Anyone that had money could go to school. She wanted to see more detail about their work experience.

Mayor Hughes explained that they needed to separate the educational requirements listed under minimum qualifications and the job experience desired for the candidates. CM Collins thought experience was more important than going to school. She wanted to take out any reference to the master's degree from the educational requirements.

CM Thomas made a motion to keep the education portion of the application, stating a bachelor's degree in public administration/business management or equivalent and a master's degree in public administration or related field was preferred. There was no second.

Mayor Hughes made a motion to require a bachelor's degree in public administration/business management or equivalent seconded by CM Blomgren.

Chris Dragan understood the point CM Collins was trying to make. When it came to education, it was not uncommon to state the equivalent was measured by ten years of manager or leadership experience. That was separate from the general experience that would ensure there was experience in a management position or leading others. Ten years of proven leadership experience was considered equivalent to a bachelor's degree and would appropriately define the equivalent.

CM Collins wanted the language to be more down to earth and she wanted the person to be more than an administrative person with physical work experience. She wanted work-work but did not know how to word it correctly.

Jennifer Combs could see the trend the Council was taking, but she did not want to see the position dumbed down. They were taking the past criteria and lowering the bar. She thought they should keep advancing things and not go backwards. She understood the salary range. If she looked at the job description as a candidate, she completely understood the current language and the equivalent experience requirement. She also understood that a master's degree was preferred and not required. If someone interviewed well, had good references, and good work experience, the master's degree would be overlooked. They should be bringing in the best qualified candidates, not those circling the bottom of the barrel. She thought it should stay as it was.

CM Blomgren did not think they were trying to lower the bar, but what they were trying to do was to make the bar and fitting for what they wanted in Town. It was not less it was different and more focused on what they wanted.

VM Brooks explained that, to her knowledge, they had two attorneys as Town Manager, a Town Manager with a master's degree and Ed Hanks. She said out of the last three Town Managers, Ed Hanks was one of the better ones. He cared about the Town and was not out promoting himself for another job. Picking the right person that would do the best for their Town was not an easy process. She thought that \$60,000 to \$90,000 and the work experience motions on the table were a go.

CM Lance did not see having the master's degree either in or out of the description meant anything, because it stated preferred, not mandatory. She thought they could consider Mr. Dragan's suggestion of the ten year work experience equivalency. She did not think the work experience mattered, because they should be asking those questions during the interview process. The last time they had cut out many people because they did not have a master's degree and she recalled wanting to look at the entire pile of applications, not just a few chosen applicants.

CM McBrady thought municipal experience was important. Municipal law was different than regular types of law. They had two attorneys that had been Town Managers, but they were Town Managers first. He thought they needed to find someone in government because it was unique.

CM Collins agreed they needed someone with municipal experience, but she did not think what they had last time worked. When she looked at other Town Managers, they started out in public works and they had their own experience with Mr. Hanks, which was municipal experience. They needed someone that would work and respect the people that lived in the community. If they added the ten year work experience equivalency and took the master's degree out, it would not be as intimidating to someone who wanted to work their way up the ladder. Public works guys were used to working hard and getting dirty, but not so much with bureaucrats. They needed someone that fit their Town. She thought they should require the Town's application as part of the application process. It made it easier for research.

Terre Schroder thanked the Council for acknowledging that they made a mistake with the last Town Manager, but it did not need to affect the qualifications and the criteria they had in place. It was the candidate that was the issue and not the qualifications. Adding ten years of experience and defining the leadership, because it was a management position. Leaving the qualifications the same was important, and the Council would be better prepared to select a better candidate from the applications they would receive.

CM Thomas reviewed the language in the job announcement, which already highlighted the desired five years of progressively responsible experience in local government or an organization of comparable complexity, with a preferred ten years of management and administrative experience. He questioned what they were doing because the language was already in the description.

Mayor Hughes rescinded his motion, and he would let the Council determine what they wanted to do with the education.

CM Collins thought they may want to put more weight on experience in senior management instead of just five years. She gave more weight to experience than she did to education. Mayor Hughes explained that if she wanted to get rid of the preferred master's degree, she needed to replace it with the number of years and type of experience they wanted the candidate to have, or the candidate would only need to have five years of progressive responsibility for experience and a preferred ten years. CM Blomgren thought it was fine, but CM Thomas disagreed, and members exchanged words. CM Collins explained that what they had previously done, did not work.

Mayor Hughes explained that CM Collins wanted to eliminate the master's degree as the preferred status, but he thought they needed to replace it in the experience category, or otherwise the experience only required five years, with the ten years as preferred experience. CM Collins wanted to replace the five years of experience with ten years, and she did not want to overpay someone because they had a master's degree.

CM Lance questioned how many of the applications they had received the last time had master's degrees and how many did not. TA Bigelow thought it might have been 50/50. She explained that for \$70,000 to \$90,000, they would most likely not get applicants with a master's degree. CM Lance questioned how the Town would handle a younger person that did not have the experience or a master's degree but wanted to do a good job for a Town like theirs. She wondered if the Town would overlook someone like that. TA Bigelow explained that the way the job was currently written, they could ignore the fact that a person did not have a master's degree. She understood that CM Collins did not want to change the education but wanted to weight the experience and note it. They would not get an applicant with a masters at the suggested salary.

CM Collins wanted to get rid of the master's degree because she thought it would scare potential applicants off, even though it was not mandatory. CM Lance explained that the previous time they had not lost any applicants because of the preferred master's degree language. She did not understand the problem. In the interview, they could ask them about their experience.

CM Brooks thought they should keep it as written, but instead of rating the applications based on minimum and maximum qualifications, she wanted the Council to be able to look at all the applications that were received. She agreed with what TA Bigelow said about dropping the salary to \$60,000. She had wanted to drop the lower range but have a wider range overall in which to offer pay, instead of starting at the top.

CM Blomgren thought that if all else was equal on the applications, that the master's degree would surpass the others. TA Bigelow explained they could not be forced to accept a person with a master's degree, and they would not have a legal issue.

Leigh Cluff asked if they had voted on the motion regarding the salary. Mayor Hughes explained that they had not voted on it. TA Bigelow explained that they would come back to it for a vote.

CM Thomas questioned how much the previous manager was paid including all his benefits. Mayor Hughes explained it was \$137,000. He thought paying someone \$90,000 would put them over \$100,000 once on board, which the mayor agreed with, depending on who they hired. CM Thomas did not think that put them at the bottom of the barrel, with a six-figure salary, only fourteen employees, and no water, sewer, or police department. He did not think the salary was unreasonable and he thought they could get a pool of applicants.

CM Lance made a motion to require a bachelor's degree in public administration, business management, or equivalent. A master's degree in public administration or related field, is a plus, seconded by Mayor Hughes.

Mayor Hughes requested that staff move forward with that direction and no official vote was taken.

CM Lance questioned if a highly qualified candidate were selected could the Town go above their maximum listed salary and if they could turn someone down if they asked too much. TA Bigelow explained that the listed salary might prevent potential candidates from applying who would have applied if they knew the Town would go higher. She further pointed out that a college degree was not worthless. She suggested that the announcement state \$65,000 to \$90,000, or higher depending on qualifications. CM Lance understood that the issues they had with many of their former Town Managers was not about their education, but about the person and how they had interviewed. She wanted people to understand she had voted against certain candidates because she thought there could be issues with them.

Councilmembers agreed to keep the experience the same.

Typical Duties and Responsibilities

CM Lance wanted to see a schedule for the Town Manager instead of a post weekly report. Mayor Hughes thought it would be easiest to make that part of the contract.

VM Brooks questioned if this was the area that specified it was a full-time job and the Town Manager was expected to be in Town doing their duties. TA Bigelow explained that it was already part of the general contract terms and that it was to be their only job. VM Brooks thought they should announce the same information during the application process. She also wanted to ensure that the person had no legal issues, such as traffic tickets.

TA Bigelow explained there was a section of the contract that discussed the general fitness of the person. If someone were charged with a crime, the Town most likely would not want to consider them. The Town could have something that stated after a certain number of traffic tickets it would be a question of the person's general fitness. This would require a periodic report. VM Brooks thought it was important because they might drive a Town vehicle and they also represented the Town. She thought it was too late to put it in the contract because they would have already narrowed the field of people. TA Bigelow thought it was best to begin background checks when they had determined their finalists list. Keeping the process moving was important so they did not lose potential candidates, which happened during the last process.

Ulys Brooks thought the Town allowed the selected candidate to write their own contract and he did not think that should be allowed. If the Council thought it was necessary, there needed to be a way to specify that the Town Manager had to work five days a week instead of four. He thought if they were doing a four day a week employee schedule. He said there should be people working at the beginning and the end of the week, so they had more hours to do business.

CM Blomgren thought VM Brooks had a valid point in the timing of the expectations. He thought that with the duties and responsibilities, they needed to specify what happened if they failed to perform. They needed to schedule performance reviews and actually do them. TA Bigelow explained that the contract stated there would be a performance evaluation at six and twelve months. The Council needed to carry through with the contract terms. CM Blomgren did not think they should wait for the contract. TA Bigelow explained that they needed to talk with the person's references, but she agreed with CM Blomgren that they were not always truthful because they were afraid of being sued. If the candidate was in Arizona, the League [of Cities and Towns] might be able to provide information on the person. CM Blomgren wanted it to be stated under duties and responsibilities that the Town Manager would have regular and frequent performance reviews. TA Bigelow would add it to that section.

CM Collins did not think there was a requirement for the person to schedule their own performance review. She questioned if someone's negative background could affect their bond-ability. TA Bigelow explained it would not, but it could impact their retention pool and cause higher monetary shares for the Town. She also explained that there was a difference between civil and criminal traffic tickets. CM Collins thought it should be something that had to be reported to the Town without the Councilmembers having to do a search or find out by accident. TA Bigelow thought there was a way to get the records and it could be part of the contract that they had to provide a quarterly report. She also thought that if someone could not get personal insurance for a vehicle, they should not be driving a Town vehicle.

CM Lance questioned if there was a legal issue if the boiler plate contract was sent to all the applicants. She thought it would weed people out if they did not like the terms. TA Bigelow explained there was no legal repercussion in doing that, but it was not typically done. She suggested doing it with the finalists, not with the initial application information.

CM Thomas thought that everything that the past Town Manager had gotten away with and did or did not do was the Council's fault because they did not do anything about it, even though they knew what was going on. He thought they needed the next person to prove to the Council that they were doing their job through regular reporting. He also wanted to see how many hours the person spent actually working for the Town. He said what had occurred with the last manager could not happen again.

CM Lance explained that was why, in addition to the required weekly report, she wanted to have a weekly or monthly schedule submitted to the Council, which would give them more control. She wanted it to be part of the contract. CM Thomas thought that if those terms were then violated, they would not get their severance pay. TA Bigelow explained that the last Town Manager's contract did not allow severance pay if the contract was violated. If the Town had cause to terminate someone, they did not get a severance pay which was clearly stated in the contract.

VM Brooks explained that it was her understanding that they needed to be careful with salaried people about their time, but they could be questioned about their accomplishments. TA Bigelow explained that the person must be where the Town wanted them to be. They could not give salaried people half a day off like they did with hourly paid people. She thought that they had to specify the amount of time they would get off in the contract terms, or they would not get any time off. VM Brooks questioned if they expected them to work the forty hours per week, plus meeting times. TA Bigelow explained that was part of a salaried job. Their contract terms were clear on that point. She thought they needed to make clear that since it was a salaried job, the person would not get comp time for working overtime. That had been a misunderstanding in the past. The Town could require a certain number of hours and they could specifically state there would be no comp time for any hours over forty hours per week. She said that needed to be clear.

Jennifer Combs thought they could require a clean driver's record in any job when the person would be driving an employer provided vehicle. She thought they were rehashing a lot of information and understood their reasoning, but if it was not broken, don't fix it. She did not think anything on the job information was over the top and if things were missed, they could add it. Their eyes had been opened on a lot of things. The salaried employees where she worked were required to work forty-five hours per week, with no comp time. Their contract would take care of many of the issues they were discussing. She thought they needed to update the job announcement, get it out and then focus more on the interview process. They needed to learn how to weed out the bad candidates. They could have a set schedule in the contract with the requirement of being at meetings.

VM Brooks agreed with Ms. Combs. She knew of employers that required the driving record be attached to the application. TA Bigelow questioned how long someone needed to have a clean driving record. The Councilmembers thought a five year driving record was acceptable.

Leigh Cluff thought they could have a clean driving record and then have issues during their employment. She stated she had found the information and brought it to Council's attention. Her concern was that she did not know if he was conducting business during those times. She was doing her due diligence, which was her right, but she stated on social media, she was constantly accused of stalking people. She thought the Council and the community needed to be friends and she commended Mayor Hughes for his patience when he had been frustrated. She thought people needed to stop attacking one another.

VM Brooks thought they should set up a calendar for the process. TA Bigelow suggested they wait to develop a calendar until they had the Interim Town Manager on duty, so it was easier to keep to it. Code did not allow them to task staff with those duties.

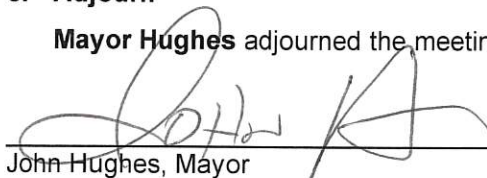
CM Collins questioned if it was because they did not have HR (Human Resources) any longer and if Town Manager Dickie had been HR. TA Bigelow confirmed that and that they would be bringing the information back to Council in May when they had an interim. They could then task that person with those duties. CM Collins wanted to get started on the process instead of waiting for an Interim Manager. TA Bigelow thought they could review the information at the May 3, 2022 meeting.

CM Lance did not think the Town Manager should be their HR person because of previous issues. If the Town Manager was the HR person, there was nowhere for an employee to go if there were issues with that person. TA Bigelow thought it sounded like a problem with the Town Manager, but they could look at the personnel policy to ensure that employees had somewhere to go for any Town Manager complaints.

7. Consideration of additional Special Session(s)

8. Adjourn

Mayor Hughes adjourned the meeting at 8:05 p.m.



John Hughes, Mayor

ATTEST: 
Beth Evans, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the Town Council of the Town of Dewey-Humboldt, Arizona, held on the 13thth day of April 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 18th day of October, 2022.


Beth Evans, Town Clerk